

**Town of Foxborough
Conservation Commission Minutes
June 1, 2009**

Members present: Bob Boette, Chairman, Al Curtis, Harold Blomberg, Doug Davis, Judi Johnson, Bernie Marshall, Val Bataille-Ferry

Also present: Bill Hocking, temporary Conservation Manager

7:00 p.m. Meeting opens –Bob B. opened the meeting which was held in the Town Hall meeting room, 40 South Street.

7:05 p.m. Hearing Request for Determination of Applicability – 222 South Street – Val Bataille-Ferry read the hearing notice. The purpose of the hearing is for the removal of contaminated soil.

Ralph P. Penney, President Penney Engineering, Inc. was present to represent the applicant Foxboro Construction Co. Ralph explained that he sent the Commission a letter and plan dated May 15, 2009 along with the Request for Determination of Applicability. Ralph explained that the Planning Board granted conditional approval of a Preliminary Conventional Subdivision Plan to Jake Development for the land at 222 South Street. One of the conditions required an environmental review of the soil and groundwater because the yard had been used as a contractor's yard for many years. Contaminated soils with form oil were found. Approximately four cubic yards of contaminated soil were excavated under the Limited Removal Action. He said they were unable to remove all the contaminated soil before the 120 day notification deadline. He explained how they propose to remove the contaminated soil.

Bill H. said he visited the site and showed the pictures that he had taken. The Commission would like the applicant to install a line of hay bales along the edge of the wetlands prior to any work.

The Commission asked what the company does. Ralph said that he does not know. The Commission would like a letter from the Foxboro Construction Co. saying what they are using the facility for. The Commission would like the applicant to notify the conservation office when the hay bales are placed so Bill H. can check them. The Commission would like a note or sign posted in the applicant's office stating there should be no dumping of petroleum. Ralph said he will email the link to the DEP documents.

Motion by Doug Davis was made that the area shown on the plan is subject to the Act but the proposed work is not dredging, filling, removing or altering and therefore a Notice of Intent is not required. Seconded by Bernie Marshall. Voted 7:0:0 in favor.

Fishing Derby Lane Properties – Heather Harding, member of the Recreation Board was present to explain the fishing derby. The fishing derby will take place on Sunday, June 14, 2009 at the Lane Properties from 9 a.m. to noon. There will be a cookout and prizes at noon.

Recreation received a grant so the derby will be free for all the kids. The Commission would like a porta-potty placed at the property for the day.

Extension Permits – DEP File #SE 157-429 off Main Street Governors Meadow. **Motion** by Bernie Marshall was made to issue an Extension Permit for DEP File #SE 157-429. Seconded by Al Curtis. Voted 7:0:0 in favor.

Certificate of Compliance – DEP File #SE 157-468 - Timothy & Sandra Lynch, 14 Woodland Road. Bill H. looked at the property and said that it looked okay. Bay Colony is working on the as-built plan. **Motion** by Bernie Marshall was made to issue a Certificate of Compliance for DEP File # SE 157-468 pending receipt of the as-built plan. Seconded by Al Curtis. Voted 7:0:0 in favor.

Planning Board Referrals – Temporary parking lots: 10 Annette Road, 200 North Street, 96 Washington Street, 16 Washington Street – okay. Temporary parking lot - 94 Washington Street they must clean waste all around parking lot and remove trash and drums within 25 foot of the wetlands. Foxborough Professional Center – 25 Foxborough Blvd. – okay.

Mill Street – ATV – Repairs – Bill H. said he met with Carl Fuller at 6 Mill Street on May 28, 2009. Bill H. showed pictures he took of the former bridge and the log on the hill waiting to be cut. Bill H. said that they have been doing what the Commission asked them to do.

10 Fairbanks Road – lease expires July 31, 2009 – The Commission agreed to run an ad in the Foxboro Reporter for leasing of 10 Fairbanks Road. The ad will indicate that there are tenants currently in the property.

Flags on Hersey Farms – Several months ago the flags at Hersey Farms were taken down because they were torn and tattered. Bobbie Markt recently put up new flags. The Commission said that he should have asked permission to hang flags on town property. The Commission agreed that the flags could stay up as long as they are not torn or tattered. A copy of these minutes will be sent to Bobbie Markt.

Request for beaches/boating – June Capece called the conservation office. She said that she would like all the beaches and water to be utilized in Foxborough. She would like beaches similar to Lake Pearl and Lake Massapoag. Bob B. will call her.

State Forest – email received – The Commission received an email from Melissa Foster saying that she was walking in the State Forest in Foxborough and was nearly run down by a pack of about a dozen people on motorcycles driving fast and carelessly. Bill H. talked to Mike Marquart the Fire Warden at the State Forest. Mike said that Ron checked the Lakeview area, but did not see any riders from the permitted King Philip Trailer Riders. There is a meeting of the State Forest Advisory Council on Wednesday. Bill H. suggested that Melissa Foster attend that meeting.

Open Space Plan – survey results. 250 surveys were received. The Commission looked at the results. An open space planning meeting was scheduled for Friday, June 12, 2009 at 10 a.m.

Signage at Lane Properties - The Commission discussed putting the sign back up at Lane Properties at the end of Laprelot Road. The sign is in the barn at Lane Properties. **Motion** was made by Doug Davis for Bill H. to ask Bob Swanson to put back up the sign at the end of Laprelot Road indicating Foxborough Conservation Land and Lane Homestead. Seconded by Bernie Marshall. Voted 7:0:0 in favor.

Con Com get-together – A get-together was tentatively scheduled for August 1st or 2nd in Carver, Mass.

Sign Vouchers & Accept Minutes – One voucher was signed for WB Mason for office supplies.

Motion by Al Curtis was made to accept the minutes of May 18, 2009 as distributed. Seconded by Val Bataille-Ferry. Voted 5:0:2 in favor. Doug Davis abstained as he was not at the meeting and Judi Johnson abstained as she was not reappointed at this meeting.

Doug would like the May 26th minutes to reflect that Lorraine Brue recused herself from the discussion for interviews for appointment to the Conservation Commission. **Motion** by Doug Davis was made to accept the minutes of May 26, 2009 as amended. Seconded by Val Bataille-Ferry. Voted 5:0:2 in favor. Al Curtis abstained as he was not at the meeting and Judi Johnson abstained as she was not reappointed at this meeting.

8:30 p.m. Motion by Bernie Marshall was made to adjourn. Seconded by Val Bataille-Ferry. Voted 7:0:0 in favor.